

REC-1012 BUT NOT SUBMITTED ON 08/10/08 TO THE ARMS CONTROL UNIT
 RELAYING TO THE INT OF COMSEC FOR INFO



STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

APPLICATION 23112

PERMIT 16152

LICENSE **10855**

STANDARD SLAG COMPANY

P. O. BOX 10477, RENO, NEVADA 89505

THIS IS TO CERTIFY, *That*

HAS made proof as of NOVEMBER 20, 1974 (the date of inspection)
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of
HORSE THIEF SPRINGS IN SAN BERNARDINO COUNTY

tributary to UNNAMED STREAM THENCE MESQUITE LAKE (A CLOSED BASIN)

for the purpose of DOMESTIC AND INDUSTRIAL USES under Permit 16152 of the Board and that the right to the use of this water has been perfected in accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of this right dates from AUGUST 13, 1968 and that the amount of water to which this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall not exceed ELEVEN THOUSAND SIX HUNDRED FIFTY (11,650) GALLONS PER DAY BY DIRECT DIVERSION, TO BE DIVERTED FROM EITHER OR BOTH POINTS OF DIVERSION, TO BE DIVERTED FROM JANUARY 1 TO DECEMBER 31 OF EACH YEAR. THE MAXIMUM AMOUNT DIVERTED UNDER THIS LICENSE SHALL NOT EXCEED 7.5 ACRE-FEET PER ANNUM. THE EQUIVALENT OF SUCH CONTINUOUS FLOW ALLOWANCE FOR ANY 30-DAY PERIOD MAY BE DIVERTED IN A SHORTER TIME IF THERE BE NO INTERFERENCE WITH OTHER VESTED RIGHTS AND INSTREAM BENEFICIAL USES; AND PROVIDED FURTHER THAT ALL TERMS OR CONDITIONS PROTECTING INSTREAM BENEFICIAL USES BE OBSERVED.

THE POINTS OF DIVERSION OF SUCH WATER ARE LOCATED:

- (1) MAIN SPRING - SOUTH 65° EAST, 2,232 FEET FROM NW CORNER OF PROJECTED SECTION 3, T19N, R10E, SBB&M, BEING WITHIN NE1/4 OF NW1/4 OF SAID SECTION 3.
- (2) UPPER SPRING - SOUTH 56° 45' EAST, 2,035 FEET FROM NW CORNER OF PROJECTED SECTION 3, T19N, R10E, SBB&M, BEING WITHIN NE1/4 OF NW1/4 OF SAID SECTION 3.

A DESCRIPTION OF LANDS OR THE PLACE WHERE SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

DOMESTIC USE WITHIN NW1/4 OF NW1/4 OF PROJECTED SECTION 4, T19N R10E, SBB&M.
INDUSTRIAL USE WITHIN NW1/4 OF NW1/4 OF PROJECTED SECTION 4, T19N, R10E, SBB&M,

THIS LICENSE IS SUBJECT TO THE STIPULATION DATED APRIL 30, 1970, A BILATERAL AGREEMENT BETWEEN LICENSEE AND THE DEPARTMENT OF FISH AND GAME, WHICH SHALL NOT BE CONTRUED AS A FINDING BY THE STATE WATER RESOURCES CONTROL BOARD.

THIS LICENSE SHALL NOT BE CONSTRUED AS CONFERRING UPON THE LICENSEE RIGHT OF ACCESS TO THE POINT OF DIVERSION.

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

Pursuant to California Water Code Section 100 all rights and privileges under this license, including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, ~~unreasonable~~ method of use or unreasonable method of diversion of said water.

This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to minimizing waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (3) suppressing evaporation losses from water surfaces; (4) controlling phreatophytic growth; and (5) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree